

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
No. 1:18-cv-00502-WO-JLW**

LLOYD BUFFKIN, et al.,)
Plaintiffs,) MOTION FOR PRELIMINARY
v.) INJUNCTION
ERIK HOOKS, et al.,)
Defendants.) Fed. R. Civ. P. 65(a)

Plaintiffs Lloyd Buffkin, Robert Parham, Jr., and Kim Caldwell brought this action individually and on behalf of a prospective class of all persons in the custody of the North Carolina Department of Public safety (DPS) who have or will have chronic hepatitis C viral infection (HCV), have at least twelve weeks remaining on their sentences, and have not received treatment with direct-acting antiviral drugs (DAAs). Plaintiffs and members of their class suffer from a serious medical need that will continue to cause pain, suffering, and excessive risk of serious injury without timely diagnosis and treatment. For the reasons detailed in the accompanying brief, Plaintiffs ask the Court to issue a preliminary injunction ordering Defendants to:

1. Provide universal opt-out HCV screening to all persons who are or will be in DPS custody.

2. Cease denying DAA treatment for the contraindications, other than patient refusal, set out in Step 4a of DPS Policy #CP-7 in the Health Services Policy and Procedure Manual.
3. Treat Plaintiffs and all members of their class with DAAs according to the current standard of medical care set out in the AASLD/IDSA guidelines, regardless of fibrosis level.

Under Local Rule 65.1(b), Plaintiffs request oral argument on this motion and leave to present the testimony of Dr. Andrew Muir, Chief of the Division of Gastroenterology at Duke University Hospital.

Respectfully submitted, this the 14th day of September, 2018.

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CERTIFICATE OF SERVICE

I certify that on September 14, 2018, I served the foregoing using the CM/ECF system, which will send electronic notice to all counsel of record.

/s/ Daniel K. Siegel
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Attorney for Plaintiffs